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T-670 P021/024 F-409

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M-15255 US 10/696,077

REMARKS

Applicants have amended claims 1 and 31 responsive to the objections

With regard to the double patenting rejection, Applicants enclose a terminal disclaimer to U.S. Pat. No 7,110,982. Accordingly, this double patenting rejection is now overcome.

With regard to the anticipation and obviousness rejections over U.S. Pat. No. 6,636,966, Applicants enclose an affidavit of Lane Lee. In this affidavit, Lane Lee testifies that the subject matter relied upon in U.S. Pat. No. 6,636,966 was his contribution. Accordingly, this subject matter is not the invention of another under 35 USC 102(e). Applicants note that this declaration is not an admission that U.S. Pat. No. 6,636,966 in any way anticipates or makes obvious the pending claims in the instant application. Instead, Lane Lee is merely testifying that the subject matter relied upon in U.S. Pat. No. 6,636,966 was his contribution.

Because U.S. Pat. No. 6,636,966 is no longer available as a base reference, the alleged teaching of the secondary references in the obviousness rejections over U.S. Pat. No. 6,636,966 become moot. Accordingly, the pending claims are now in condition for allowance.

If the Examiner has any questions or concerns, a telephone call to the undersigned at (949) 752-7040 is welcomed and encouraged.

Certificate of Facsimile Transmission

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark

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Saundra L. Carr

Date of Signature: 5-23-07

Respectfully submitted,

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